

REMARKS

Claims 51-74 were pending in the application. Claims 51-74 are cancelled. Claims 75-144 are added. Therefore, claims 75-144 are currently pending.

Applicant respectfully submits that newly submitted independent claim 75 is patentably distinct over Swartz, U.S. Patent No. 6,445,694. Claim 75 recites, in part (emphasis added):

establishing an audio connection with a first user;
receiving an audio signal *from the first user* via the audio connection;
recording said received audio signal to create an audio file;
storing said recorded audio file at a location accessible via the Internet;
receiving input from said first user specifying a second user, wherein said input specifying said second user is received after said establishing said audio connection with said first user....

Applicant respectfully submits that Swartz does not teach or suggest “receiving an audio signal from the first user” *and* “receiving input from said first user specifying a second user,” as recited in claim 75. Instead, Swartz merely teaches that “[i]ncoming calls *to a telephone number assigned to the subscriber* may be automatically forwarded to any telephone number specified by the preference data,” wherein “[t]he *subscriber* employs a web interface *to populate a database with preference data* which is used by the host services processor to handle incoming calls” Swartz, Abstract (emphasis added).

Applicant submits that claim 75 and its associated dependent claims are patentably distinct from Swartz on this basis alone. The passage in the Abstract of Swartz also illustrates that this reference does not teach or suggest “wherein said input specifying said second user is received *after said establishing said audio connection with said first user,*” as recited in claim 75. Applicant submits that claim 75 and its associated dependent claims are also patentably distinct from Swartz on this alternate basis.

Applicant respectfully submits that independent claim 105 and its associated dependent claims are patentably distinct over Swartz for at least the reasons specified for claim 75.

Similarly, Applicant submits that newly submitted independent claim 115 is also patentably distinct over Swartz. While Swartz teaches that “[t]he subscriber may ... selectively play[] back voice mail messages via the web interface,” *see* Abstract, Applicant submits that there is no teaching or suggestion in Swartz that “said stored audio file is accessible via the Internet *to any user specifying the first resource identifier*,” as recited in claim 115 (emphasis added). On the contrary, Swartz teaches “the password protection afforded by the system *assures the security of the information stored for access by the subscriber*.” Swartz, col. 6, lines 29-32 (emphasis added). For at least this reason, Applicant submits that claim 115 and its associated dependent claims are patentably distinct over Swartz.

Applicant respectfully submits that independent claim 132 and its associated dependent claims are patentably distinct over Swartz for at least the reasons specified for claim 115.

CONCLUSION

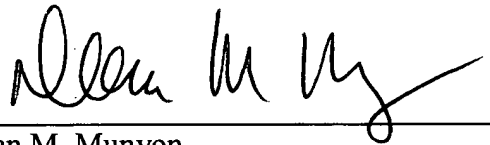
Based on the above, Applicant submits that all of the claims are in condition for allowance. Favorable reconsideration is respectfully requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5957-02200/DMM.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☒ Request for Continued Examination

Respectfully submitted,



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